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RCE/1644

May 6, 2002

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Commissioner for Patents
Washington, D.C. 20231

RECEIVED

MAY 09 2002

Group Art Unit 1644

TECH CENTER 1600/1600

Re: U.S. Utility Patent Application
Appl. No. 08/380,200; Filed: January 30, 1995
For: **New Protein-Polycation Conjugates**
Inventors: Birnstiel *et al.*
Our Ref: 0652.1080001/EKS/PSC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1);
3. Request for Continued Examination (RCE) Transmittal;
4. Second Supplemental Information Disclosure Statement;
5. Form PTO-1449 (2 sheets citing 2 documents);
6. 2 documents attached cited in Form PTO-1449;
7. Our check no. 35057 for \$1,680.00 to cover:
\$740.00 RCE filing fee;
\$810.00 Extension of Time Fee Under 37 C.F.R. § 1.136;
\$130.00 Fee Under 37 C.F.R. § 1.17(i); and
8. One (1) return postcard.

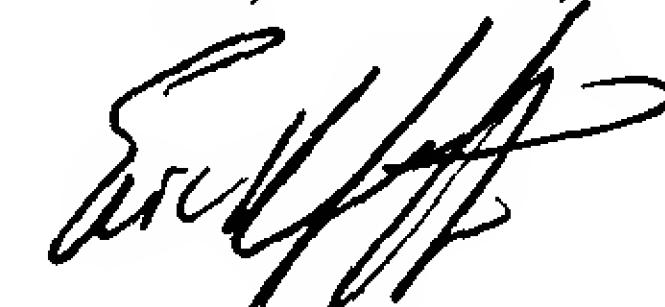
Commissioner for Patents
May 6, 2002
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eric K. Steffe
Attorney for Applicants
Registration No. 36,688

EKS/PSC/lam
Enclosures

SKGF_DC1:10055.1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST

FOR

CONTINUED EXAMINATION (RCE)

TRANSMITTAL

MAY 06 2002

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number

08/380,200

Filing Date

January 30, 1995

First Named Inventor

Max L. Birnstiel

Group Art Unit

1644

Examiner Name

Nolan, P.

Attorney Docket Number

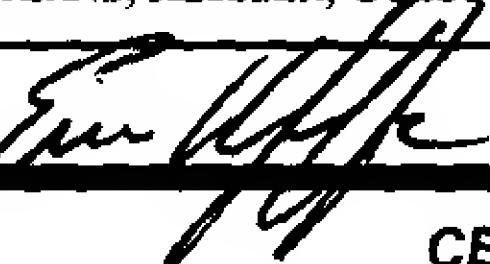
0652.1080001/EKS/PSC

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
 - a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Second Supplemental Information Disclosure Statement (IDS)
 - iv. Other _____
2. Miscellaneous
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of three (3) months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
 - b. Other _____
3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0036
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other: Fee under 37 C.F.R. § 1.17(i) requesting limited suspension of action in an RCE
 - b. Check in the amount of \$1,680.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Eric K. Steffe STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.	Registration No. (Attorney)	
Signature		Date	5/6/02

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

05/07/2002 RHRARIS1 00000089 08380200
740.00 gp

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$1,680.00)

O I P E
MAY 06 2002
U.S. PATENT & TRADEMARK OFFICE

Complete if Known

Application Number	08/380,200
Filing Date	January 30, 1995
First Named Inventor	Max L. Birnstiel
Examiner Name	Nolan, P.
Group Art Unit	1644
Attorney Docket No.	0652,1080001/EKS/PSC

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)				
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:		3. ADDITIONAL FEES Large Entity Small Entity				
Deposit Account Number	19-0036	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.	105	130	205	65	Surcharge - late filing fee or oath
<input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17		127	50	227	25	Surcharge - late provisional filing fee or cover sheet
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		139	130	139	130	Non-English specification
2. <input checked="" type="checkbox"/> Payment Enclosed:		147	2,520	147	2,520	For filing a request for ex parte reexamination
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*		112	920*	112	920*	Requesting publication of SIR prior to Examiner action
Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.		113	1,840	113	1,840*	Requesting publication of SIR after Examiner action
FEE CALCULATION		115	110	215	55	Extension for reply within first month
1. BASIC FILING FEE		116	400	216	200	Extension for reply within second month
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid			
101	740	201	370	Utility filing fee		
106	330	206	165	Design filing fee		
107	510	207	255	Plant filing fee		
108	740	208	370	Reissue filing fee		
114	160	214	80	Provisional filing fee		
SUBTOTAL (1) (\$0.00)		117	920	217	460	Extension for reply within third month
		118	1,440	218	720	Extension for reply within fourth month
		128	1,960	228	980	Extension for reply within fifth month
		119	320	219	160	Notice of Appeal
		120	320	220	160	Filing a brief in support of an appeal
		121	280	221	140	Request for oral hearing
		138	1,510	138	1,510	Petition to institute a public use proceeding
		140	110	240	55	Petition to revive - unavoidable
		141	1,280	241	640	Petition to revive - unintentional
		142	1,280	242	640	Utility issue fee (or reissue)
		143	460	243	230	Design issue fee
		144	620	244	310	Plant issue fee
		122	130	122	130	Petitions to the Commissioner
		123	130	123	130	Petitions related to provisional applications
		126	180	126	180	Submission of Information Disclosure Stmt
		581	40	481	40	Recording each patent assignment per property (times number of properties)
		146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))
		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))
		179	740	279	370	Request for Continued Examination (RCE)
		169	900	169	900	Request for expedited examination of a design application
		Other fee (specify) : 3 month EOT of \$920.00 with one month of \$110.00 paid on March 5, 2002 = \$810.00				
		Other fee (specify) : Fee Under 37 C.F.R. § 1.117(i)				
SUBTOTAL (2) (\$0.00)		*Reduced by Basic Filing Fee Paid				
** or number previously paid, if greater; For Reissues, see above		SUBTOTAL (3) (\$1,680.00)				
SUBMITTED BY						Complete (if applicable)
Name (Print/Type)	Eric K. Steffe		Registration No. (Attorney/Agent)	36,688	Telephone	202-371-2600
Signature					Date	5/6/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnac

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